1	Justin Fok, Esq., CA State Bar #242272		
2	Law Offices of Jean D. Chen 2107 N. First Street, Suite 400		
3	San Jose, CA 95131		
	Telephone: (408) 437-1788		
4	Facsimile: (408) 437-9788 Email: jfok@jclawoffice.com		
5	A. C. Diriving		
6	Attorney for Plaintiff Sheng Liu		
7			
8	UNITED STATES DISTRICT COURT		
9	NORTHERN DISTRICT OF CALIFORNIA		
10	OAKLAND DIVISION		
11	Sheng Liu,	Case No. C 07-04053 CW	
12	}		
13	Plaintiff,	PARTIES JOINT REQUEST TO BE EXEMPT FROM FORMAL ADR	
14	v. (PROCESS	
15	Peter D. Keisler, Acting United States		
16	Attorney General, U.S. Department of Justice; Michael Chertoff, Secretary of the		
	Department of Homeland Security;		
17	Emilio T. Gonzalez, Director of United States) Citizenship and Immigration Services;		
18	Robert S. Mueller III , Director of the Federal		
19	Bureau of Investigation,		
20	<u> </u>		
21	Defendants.		
22			
23			
24	Fach of the undersigned certifies that he	or she has read either the handbook entitled	
25	Each of the undersigned certifies that he or she has read either the handbook entitled		
26	"Dispute Resolution Procedures in the Northern District of California," or the specified portion		
	of the ADR Unit's Internet site <www.adr.cand.uscourts.gov>, discussed the available dispute</www.adr.cand.uscourts.gov>		
27	resolution options provided by the court and private entities, and considered whether this case		

Parties' Joint Request for Exemption C 07-4053 CW

28

might benefit from any of them. Here, the parties agree that referral to a formal ADR process

1	will not be beneficial because this mandamus action is limited to plaintiff's request that this		
2	Court compel defendants to adjudicate the application for adjustment of status. Given the		
3	substance of the action and the lack of any potential middle ground, ADR will only serve to		
4	multiply the proceedings and unnecessarily tax court resources. Accordingly, pursuant to ADR		
5	L.R. 3-3(c), the parties request the case be removed from the ADR Multi-Option Program and		
6	that they be excused from participating in the ADR phone conference and any further formal		
7	ADR process.		
8			
9		Respectfully Submitted,	
10	Dated: October 22, 2007	<u>/s/</u>	
11		Justin G. Fok Attorney for Plaintiff	
12			
13			
14	Dated: October 22, 2007	<u>/s/</u>	
15		Melanie L. Proctor Assistant United States Attorney	
16		Attorney for Defendants	
17			
18			
19	ORDER		
20	Pursuant to stipulation, IT IS SO ORDEREI	D.	
21			
22	Date:	Claudia Wilken	
23		United States Magistrate Judge	
24			
25			
26			
27			
28			

1